

SEP 20 2006

SMITH HOPEN

INTELLECTUAL PROPERTY LAW

Tampa Bay Office · 180 Pine Avenue North · Oldsmar, Florida 34677
Tel: 813-925-8505 · Fax: 813-925-8525 · www.smithhopen.com

Fox

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Zhiyu Lu - Art Unit 2618	Client:	1135.42
Fax:	(571) 273-8300	Pages:	37 including coversheet
Phone:	(571) 272-7254	Date:	September 20, 2006
Re:	USSN 10/711,241	CC:	

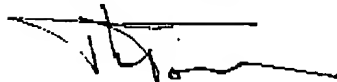
☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Royer:

In response to the Notice of Non-Compliant Amendment mailed 09/11/2006 having a shortened statutory period for response set for 10/11/2006, we enclose the following:

- 1) Response to Notice of Non-Compliant Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated September 20, 2006 (2 pages); and
- 2) Response to Notice of Non-Compliant Amendment (34 pages).

Very respectfully,



Thomas E. Toner
USPTO Reg. No. 57,422

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

SEP 20 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/711,241 Confirmation No.: 5240
Applicant: : John F. Baxter Jr.
Filed: : 09/03/2004
Art Unit : 2618
Examiner : Zhiyu Lu

Docket No. : 1135.42
Customer No. : 21,901
For : Method of Identifying Media Content Contemporaneous with
Broadcast

Transmitted to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

(37 C.F.R. § 1.111)


Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed September 11, 2006, having a shortened statutory period for response set to expire October 11, 2006, Applicants hereto attach a substitute specification.

Very respectfully,

SMITH & HOPEN

Dated: September 20, 2006
Reg. No. 57,422

By: 
Thomas E. Toner
180 Pine Avenue North
Oldsmar, Florida 34677
Attorneys for Applicant

SEP 20 2006

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Notice of Non-Compliant Amendment is being transmitted by facsimile to the United States Patent and Trademark Office, Central Fax at (571) 273-8300 on September 20, 2006

Dated: September 20, 2006


Dana Rickert